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EXAMINER	
GUPTA, PARUL H	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/628,468	LEE, SANG-AM	
	Examiner	Art Unit	
	Parul Gupta	2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 July 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-54* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-54* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-54 are pending for examination as interpreted by the examiner. The IDS filed on 10/15/03. 2/16/05, and 3/13/06 were considered.

Claim Rejections - 35 USC § 102

> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-12, 17-27, and 44-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Hwang et al., US Patent 5,825,726.

Regarding claim 1, Hwang et al. teaches a method of recording data on an optical storage medium in a certain recording format, the method comprising: selecting a recording format from a plurality of recording formats to record the data on the optical storage medium (column 2, lines 16-22); recording the data on the optical storage medium in the selected recording format (column 2, lines 22-27); and adding information regarding the selected one of the plurality of recording formats on the optical storage medium (column 2, lines 27-31).

Regarding claim 2, Hwang et al. teaches the method of claim 1, wherein the selected recording format to record the data is selected by a user (column 2, lines 20-21).

Regarding claim 3, Hwang et al. teaches in figure 2 and column 2, lines 51-58 the method of claim 1, wherein the recording format information is recorded in an area (LIN and LOT) adjacent an area in which the data is recorded (PGM).

Regarding claim 4, Hwang et al. teaches a method of recording data on an optical storage medium in a plurality of recording formats, the method comprising:

selecting one of the plurality of recording formats for each of the corresponding data to record each of the data on the optical storage medium (column 2, lines 16-22); recording each of the data on the optical storage medium in the corresponding selected recording formats (column 2, lines 22-27); and adding information regarding the selected recording format on the optical storage medium whenever each data is recorded in the corresponding one of the selected recording formats (column 2, lines 27-31). Column 2, lines 61-62 explains how extra data can be stored in the same way.

Regarding claim 5, Hwang et al. teaches the method of claim 4, wherein the selected recording format corresponding to each of the data is selected by a user (column 2, lines 20-21).

Regarding claim 6, Hwang et al. teaches in figure 4 and column 2, lines 51-58 the method of claim 4, wherein the recording format information is recorded in an area (LIN1 and LIN2 and LOT1 and LOT2) adjacent each area in which the data is recorded (PGM1 and PGM2).

Regarding claim 7, Hwang et al. teaches the method of claim 4, further comprising, after completion of the data recording, preparing and recording file systems (described as a "file structure" in column 2, lines 62-66).

Regarding claim 8, Hwang et al. teaches the method of claim 7, wherein the file system ("file structure") is prepared and recorded every time new data is recorded (per session) on the optical storage medium (column 2, lines 62-66).

Regarding claim 9, Hwang et al. teaches the method of claim 7, wherein the file system ("file structure") is prepared and recorded after completing recording of the data

in an entire data area (after all sessions) of the optical storage medium (column 2, lines 62-66).

Regarding claim 10, Hwang et al. teaches the method of claim 8, wherein: the file system comprises directories ("TOC" of column 4, lines 28-34) for the respective recording formats, each of the directories comprises information regarding attributes of each of the data in the corresponding recording format, and the attribute information includes a data file name, recording format information, and a starting address (column 4, lines 55-60).

Regarding claim 11, Hwang et al. teaches a method of reproducing data from an optical storage medium in which data is recorded (column 4, lines 61-67) using a method of claim 1, the method comprising: reading recording format information regarding desired data from an information area of the optical storage medium distinguished from a plurality of recording format information (column 5, line 1); and reproducing the desired data based on the read recording format information (column 5, lines 2-15).

Regarding claim 12, Hwang et al. teaches a method of reproducing data from an optical storage medium in which data is recorded (column 4, lines 61-67) using a method of claim 7, the method comprising: reading data for a file system from the optical storage medium (column 8, lines 39-42); reading a recording format information distinguished from a plurality of recording format information and a starting address of corresponding desired data from the file system (column 5, lines 1 and 11-15 and column 8, lines 45-54); and reading the desired data from the corresponding starting

address and decoding the desired data based on the corresponding recording format information (column 8, lines 54-63).

Regarding claim 17, Hwang et al. teaches in figure 4 an optical storage medium comprising: an area on which data is recorded in a certain recording format (PMA1 and PMA2); and recording format information is recorded in an area adjacent the area containing the data (LIN1 and LIN2) and which is used by a reproducing apparatus to distinguish the certain recording format from a plurality of recording formats corresponding to the data recorded on the optical storage medium.

Regarding claim 18, Hwang et al. teaches in figure 4 an optical storage medium comprising: an area on which a plurality of data are recorded in various corresponding recording formats (PMA1 and PMA2); and a predetermined area in which file system information is recorded (LIN1 and LIN2), wherein the file system information includes information regarding recording formats and starting addresses of the data.

Regarding claim 19, Hwang et al. teaches the method of claim 9, wherein: the file system comprises directories ("TOC" of column 4, lines 28-34) for the respective recording formats, each of the directories comprises information regarding attributes of each of the data in the corresponding recording format (column 2, lines 50-55), and the attribute information includes a data file name, recording format information, and a starting address (described in column 1, lines 42-45, column 2, lines 50-55, and column 4, lines 55-60).

Regarding claim 20, Hwang et al. teaches a method of reproducing data from an optical storage medium in which data is recorded (column 4, lines 61-67) using a

method of claim 2, the method comprising: reading recording format information regarding desired data from an information area of the optical storage medium distinguished from a plurality of recording format information (column 5, line 1); and reproducing the desired data based on the read recording format information (column 5, lines 2-15).

Regarding claim 21, Hwang et al. teaches a method of reproducing data from an optical storage medium in which data is recorded (column 4, lines 61-67) using a method of claim 3, the method comprising: reading recording format information regarding desired data from an information area of the optical storage medium distinguished from a plurality of recording format information (column 5, line 1); and reproducing the desired data based on the read recording format information (column 5, lines 2-15).

Regarding claim 22, Hwang et al. teaches a method of reproducing data from an optical storage medium in which data is recorded (column 4, lines 61-67) using a method of claim 4, the method comprising: reading recording format information regarding desired data from an information area of the optical storage medium distinguished from a plurality of recording format information (column 5, line 1); and reproducing the desired data based on the read recording format information (column 5, lines 2-15).

Regarding claim 23, Hwang et al. teaches a method of reproducing data from an optical storage medium in which data is recorded (column 4, lines 61-67) using a method of claim 5, the method comprising: reading recording format information

regarding desired data from an information area of the optical storage medium distinguished from a plurality of recording format information (column 5, line 1); and reproducing the desired data based on the read recording format information (column 5, lines 2-15).

Regarding claim 24, Hwang et al. teaches a method of reproducing data from an optical storage medium in which data is recorded (column 4, lines 61-67) using a method of claim 6, the method comprising: reading recording format information regarding desired data from an information area of the optical storage medium distinguished from a plurality of recording format information (column 5, line 1); and reproducing the desired data based on the read recording format information (column 5, lines 2-15).

Regarding claim 25, Hwang et al. teaches a method of reproducing data from an optical storage medium in which data is recorded using a method of claim 8, the method comprising: reading data for a file system from the optical storage medium (column 8, lines 39-42); reading a recording format information distinguished from a plurality of recording format information and a starting address of corresponding desired data from the file system (column 8, lines 45-54); and reading the desired data from the corresponding starting address and decoding the desired data based on the corresponding recording format information (column 8, lines 54-63).

Regarding claim 26, Hwang et al. teaches a method of reproducing data from an optical storage medium in which data is recorded using a method of claim 9, the method comprising: reading data for a file system from the optical storage medium (column 8,

lines 39-42); reading a recording format information distinguished from a plurality of recording format information and a starting address of corresponding desired data from the file system (column 8, lines 45-54); and reading the desired data from the corresponding starting address and decoding the desired data based on the corresponding recording format information (column 8, lines 54-63).

Regarding claim 27, Hwang et al. teaches the apparatus of claim 14, wherein the controller (element 113 of figure 1) receives a selected recording format through a user interface whenever data is recorded (column 2, lines 20-21).

Regarding claim 44, Hwang et al. teaches a computer readable medium encoded with processing instructions for implementing a method of recording data on an optical storage medium in a recording format performed by a computer (column 1, lines 16-22), the method comprising: selecting a recording format from a plurality of recording formats to record the data on the optical storage medium (column 2, lines 16-22); recording the data on the optical storage medium in the selected recording format (column 2, lines 22-27); and adding recording format information regarding the selected one of the plurality of recording formats on the optical storage medium (column 2, lines 27-31).

Regarding claim 45, Hwang et al. teaches the computer readable medium (column 1, lines 16-22) of claim 44, wherein the method further comprises receiving a user selection from a user to select the selected one recording format (column 2, lines 20-21).

Regarding claim 46, Hwang et al. teaches in figure 2 and column 2, lines 51-58 the computer readable medium (column 1, lines 16-22) of claim 44, wherein the recording format information is recorded in an area (LIN and LOT) adjacent an area in which the data is recorded (PGM).

Regarding claim 47, Hwang et al. teaches the computer readable medium (column 1, lines 16-22) of claim 44, wherein the method further comprises: selecting another one of the plurality of recording formats for additional data to be recorded on the optical storage medium (column 2, lines 16-22); recording the additional data on the optical storage medium in the corresponding another selected recording format (column 2, lines 22-27); and adding additional recording format information regarding the another selected recording format on the optical storage medium (column 2, lines 27-31). Column 2, lines 61-62 explains how extra data can be stored in the same way.

Regarding claim 48, Hwang et al. teaches the computer readable medium (column 1, lines 16-22) of claim 47, wherein the method further comprises, after the data and the additional data area recorded, preparing and recording on the optical storage medium a file system ("file structure") including the recording format information and the additional recording format information (column 2, lines 62-66).

Regarding claim 49, Hwang et al. teaches a computer readable medium encoded with processing instructions for implementing a method of reproducing data from an optical storage medium performed by a computer (column 1, lines 16-22), the method comprising: reading recording format information regarding selected data from an information area of the optical storage medium distinguished from a plurality of

recording format information (column 5, line 1); and reproducing the selected data based on the read recording format information (column 5, lines 2-15).

Regarding claim 50, Hwang et al. teaches the computer readable medium (column 1, lines 16-22) of claim 49, wherein: the reading the recording format information comprises: reading a file system from the optical storage medium, the file system having files for a plurality of different recording information for corresponding different recording formats (column 8, lines 39-42), and reading the recording format information distinguished from the plurality of recording format information and a starting address corresponding to the selected data from the file system (column 8, lines 45-54); and the reproducing the selected data comprises reading the selected data from the corresponding starting address and decoding the selected data based on the corresponding recording format information (column 8, lines 54-63).

3. Claims 51-54 are rejected under 35 U.S.C. 102(b) as being anticipated by Faroudja, US Patent 5,754,248.

Regarding claim 51, Faroudja teaches a method of transferring data with respect to an optical storage medium comprising: converting a received one of the data and encoded data to the other one of the data and the encoded data using a first recording format (done by element 16 of figure 4); and transferring the encoded data with respect to the optical storage medium, wherein the first recording format is independent of a type of the optical storage medium on which the encoded data is recorded (point of invention as explained in column 2, lines 19-27).

Regarding claim 52, Faroudja teaches the method of claim 51, wherein the optical storage medium is of the type having a second recording format not compatible with the first recording format (column 2, lines 19-27 describe the different formats being used as not being compatible with each other).

Regarding claim 53, Faroudja teaches the method of claim 51, wherein: the converting the received one of the data and the encoded data comprises encoding the data in the first recording format (done by element 2 of figure 1), and the transferring the encoded data comprises recording the encoded data on the optical storage medium (column 1, lines 15-17 explain that the point of the invention is to record the data to the medium), wherein the optical storage medium is of the type having a second recording format not compatible with the first recording format (column 2, lines 19-27 describe the different formats being used as not being compatible with each other).

Regarding claim 54, Faroudja teaches the method of claim 51, wherein: the converting the received one of the data and the encoded data comprises decoding the encoded data from the first recording format (done by element 26 of figure 6), and the transferring the encoded data comprises reading the encoded data from the optical storage medium (column 1, lines 15-17 explain that the point of the invention is to playback the data from the medium), wherein the optical storage medium is of the type having a second recording format not compatible with the first recording format (column 2, lines 19-27 describe the different formats being used as not being compatible with each other).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 13-16 and 28-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Faroudja in view of Hwang et al.

Regarding claim 13, Faroudja teaches an optical disc recording apparatus which records data in a certain recording format on an optical storage medium, the apparatus comprising: a codec which compresses/encodes an input data signal in one of various recording formats to produce an encoded data signal, the codec being able to compress/encode the input data signal in each of the various recording formats (done by the "encoder" of element 2 in figure 1); a digital signal processor (DSP) which receives the encoded data signal and performs a predetermined modulation on the encoded data signal (done in processing described in column 2, lines 43-53); and a controller which receives a recording format selected by a user from the various recording formats through a user interface (column 8, lines 39-41) and informs the codec and the DSP of the selected one of the recording formats so as to record the data in the selected recording format (done within the "encoder" of element 2 in figure 1). Faroudja does not but Hwang et al. teaches a pickup that uses an amplifier which

amplifies the modulated data signal to produce an amplified data signal; a pickup which generates a beam and records the amplified data on the optical storage medium in response to the amplified data signal (column 3, lines 52-66). Although the amplifier is not taught explicitly, it would be obvious to be used as a part of the pickup to ensure accurate recording of the signal. It would have been obvious to one of ordinary skill in the art at the time of the invention to include the concept of the optical pickup as taught by Hwang et al. into the system of Faroudja. This would serve the purpose of allowing the accurate reading, recording and reproducing of data, as is well known in the art. Neither reference explicitly teaches a servo which performs a servo control on the pickup according to a servo control signal or a pickup that is used to provide a servo control signal. However, the use of servo control in recording data to an optical storage device is well known in the art.

Regarding claim 14, Hwang et al. teaches the apparatus of claim 13, wherein after the recording of the data in the selected recording format, the controller (element 113 of figure 1) records information regarding the selected recording format to be recorded on the optical storage medium (column 6, lines 58-67).

Regarding claim 15, Hwang et al. teaches the apparatus of claim 13, wherein the controller (element 113 of figure 1) receives a selected recording format through a user interface whenever data is recorded (column 2, lines 20-21).

Regarding claim 16, Faroudja teaches an optical disc reproducing apparatus which reproduces data from an optical storage medium on which data is recorded in

various recording formats, the apparatus comprising: a digital signal processor (DSP) which receives the amplified data signal and performs a predetermined demodulation on the amplified data signal (done in processing described in column 2, lines 43-53); a codec which decompresses/decodes the demodulated data signal in various recording formats (done by the "encoder" of element 2 in figure 1); and a controller which reads a recording format information corresponding to a desired one of the data from the optical storage medium and informs the codec and the DSP of the recording format information so as to reproduce the desired data recorded in a corresponding one of the recording formats (done within the "encoder" of element 2 in figure 1). Faroudja does not but Hwang et al. teaches a pickup that uses an amplifier which amplifies the modulated data signal to produce an amplified data signal; a pickup which generates a beam and records the amplified data on the optical storage medium in response to the amplified data signal (column 3, lines 52-66). Although the amplifier is not taught explicitly, it would be obvious to be used as a part of the pickup to ensure accurate recording of the signal. It would have been obvious to one of ordinary skill in the art at the time of the invention to include the concept of the optical pickup as taught by Hwang et al. into the system of Faroudja. This would serve the purpose of allowing the accurate reading, recording and reproducing of data, as is well known in the art. Neither reference explicitly teaches a servo which performs a servo control on the pickup according to a servo control signal or a pickup that is used to provide a servo control signal. However, the use of servo control in recording data to an optical storage device is well known in the art.

Regarding claim 28, Faroudja teaches in figure 1 an optical apparatus that transfers data with respect to an optical storage medium, the apparatus comprising: a data converter (element 2) which converts a received one of the encoded data and the data ("sources") into the other one of the encoded data and the data ("output data") according to a determined one of a plurality of different recording formats; and a controller (purpose solved by the data indicating the type of source given as "FILM YES/NO") which determines a recording format selected from a plurality of different recording formats and which corresponds to a selected one of the data, controls the data converter to convert the received one of the encoded data and the data according to the determined one of the plurality of different recording formats. Faroudja does not teach the specific functions of an optical pickup. Hwang et al. teaches a pickup that optically transfers encoded data with respect to the optical storage medium and the method that controls the pickup to optically transfer the encoded data (column 3, lines 52-66). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the concept of the optical pickup as taught by Hwang et al. into the system of Faroudja. This would serve the purpose of allowing the accurate reading, recording and reproducing of data, as is well known in the art.

Regarding claim 32, Faroudja teaches in figure 1 the optical apparatus of claim 28, wherein the controller (purpose solved by the data indicating the type of source given as "FILM YES/NO") further determines another recording format from the plurality of different recording formats and which corresponds to a selected another one of the data from the optical storage medium, and controls the converter to convert the

received one of the selected another data and the encoded data according to the determined another one of the plurality of different recording formats.

Regarding claim 37, Faroudja teaches in figure 6 the optical apparatus of claim 28, wherein: the data converter comprises a decoder (element 26) which decodes the encoded data read from the optical storage medium into the data according to the determined one of the plurality of different recording formats; and the controller (purpose solved by the data indicating the type of source given as "FILM YES/NO") reads recording format information corresponding to the selected one of the data from the optical storage medium to determine the one the plurality of different recording formats, and controls the decoder to decode the encoded data to provide the selected data in the determined one of the plurality of different recording formats.

Regarding claim 40, Faroudja teaches the optical apparatus of claim 28, wherein: the data converter (element 16 of figure 4) comprises an encoder (element 2 of figure 1) which encodes the data into the encoded data to be written to the optical storage medium according to the determined one of the plurality of different recording formats; and the controller (purpose solved by the data indicating the type of source given as "FILM YES/NO" in figure 1) controls the encoder to encode the selected one of the data in the determined one of the plurality of different recording formats. Faroudja does not teach the specific functions of an optical pickup. Hwang et al. teaches a pickup and a method that controls the pickup to record recording format information regarding the determined recording format and the encoded data on the optical storage medium (column 3, lines 52-66). It would have been obvious to one of ordinary skill in the art at

the time of the invention to include the concept of the optical pickup as taught by Hwang et al. into the system of Faroudja. This would serve the purpose of allowing the accurate reading, recording and reproducing of data, as is well known in the art.

Regarding claim 29, Hwang et al. teaches the optical apparatus of claim 28, wherein the controller (element 113 of figure 1) controls the pickup to transfer recording format information regarding the determined recording format with respect to a first region of the optical storage medium, and controls the pickup to transfer the selected data with respect to a second region of the optical storage medium other than the first region (column 3, lines 52-66).

Regarding claim 30, Hwang et al. teaches in figure 4 the optical apparatus of claim 29, wherein the first region (consisting of LIN1, PMA1, and LOT1) has a common border with the second region (consisting of LIN2, PMA2, and LOT2).

Regarding claim 31, Hwang et al. teaches the optical apparatus of claim 29, wherein the first region includes another recording format information regarding another one of the plurality of different recording formats, and the second region has other data encoded in the another one of the plurality of different recording formats (shown in figure 4 and explained column 2, lines 33-36).

Regarding claim 33, Hwang et al. teaches in column 3, lines 52-66 the optical apparatus of claim 32, wherein the controller controls the pickup to transfer the recording format information with respect to a first region of the optical storage medium, controls the pickup to transfer the selected data with respect to a second region of the optical storage medium other than the first region, controls the pickup to transfer

another recording format information regarding the determined another recording format with respect to a third region of the optical storage medium, and controls the pickup to transfer the selected another data with respect to a fourth region of the optical storage medium other than the third region. The given region explains how the pickup is transferred to the different regions based on the data on the medium.

Regarding claim 34, Hwang et al. teaches in figure 4 the optical apparatus of claim 33, wherein the first region has a common border with the second region, and the third region has a common border with the fourth region.

Regarding claim 35, Hwang et al. teaches in figure 4 the optical apparatus of claim 33, wherein the first region includes the third region, and the second region includes the fourth region.

Regarding claim 36, Hwang et al. teaches the optical apparatus of claim 28, wherein the plurality of different recording formats includes recording formats for at least two of digital versatile disk (DVD) data, MP3 data, video CD (VCD) data, MPEG4 data, video recording (VR) data, MPEG2 data, audio compression 3 (AC3) data, and linear pulse code modulation (LPCM) data. Column 1, lines 16-37 describe all of the different formats available for use with the given apparatus. These include both video and digital audio formats as well as data formats. These are similar to the formats given by the applicant.

Regarding claim 38, Hwang et al. teaches the optical apparatus of claim 37, wherein the controller (element 113 of figure 1) reads a file system from the optical

storage medium in which the determined recording format information is stored in order to read the recording format information (column 5, line 1).

Regarding claim 39, Hwang et al. teaches the optical apparatus of claim 38, wherein the file system further comprises another recording format information corresponding to another one of the data encoded using another one of the plurality of different formats (column 2, lines 51-58).

Regarding claim 41, Hwang et al. teaches the optical apparatus of claim 40, further comprising a user interface through which a command is received to determine the one of the plurality of different recording formats for use in encoding the selected one of the data (column 2, lines 20-21).

Regarding claim 42, Hwang et al. teaches the optical apparatus of claim 40, wherein the controller (element 113 of figure 1) further prepares a file system ("TOC") in which the determined recording format information is stored and controls the pickup to record the prepared file system (column 6, lines 58-67).

Regarding claim 43, Hwang et al. teaches the optical apparatus of claim 42, wherein the file system further comprises another recording format information corresponding to another one of the data encoded using another one of the plurality of different formats (column 2, lines 51-58).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patent Publication 2005/0018574 teaches much of the disclosed material.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Parul Gupta whose telephone number is 571-272-5260. The examiner can normally be reached on Monday through Thursday, from 8:30 AM to 7 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea Wellington can be reached on 571-272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PHG
5/25/06

THANG V. TRAN
PRIMARY EXAMINER